

CITY OF LODI

COUNCIL COMMUNICATION

AGENDA TITLE:

Δn Ordinance Amending Lodi Municipal Code 2.04.070

Establishing the Time for Election of a Mayor in Non-General

Election Years

MEETING DATE:

July 20, 1994

PREPARED BY:

City Attorney

RECOMMENDED ACTION:

Council consideration and possible introduction of

Ordinance No. 1599.

BACKGROUND INFORMATION: A proposal was recently made by Councilmember Phillip Pennino recommending that the date for election of a

Mayor in years where there is no general statewide

election be moved from the first regular meeting in November to the first regular meeting in December. The purpose of this amendment would be to more nearly provide equal terms for mayors appointed in years where there was no general election with the terms of those mayors appointed during general election years.

Frequently in election years, it is necessary for the Council to wait for certification by the County Clerk of election results before a mayor can be chosen by the Council. In those circumstances, a mayor is usually not elected by the Council until December. This means that a Mayor chosen in general election years only serves eleven months. On the other hand, a mayor chosen in years with no general elections usually serves thirteen months. The proposed action would somewhat equalize the terms of mayors appointed in years with general elections with those appointed in non-general election years. Council consideration and direction is requested.

FUNDING: None required.

Respectfully submitted,

City Attorney

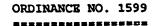
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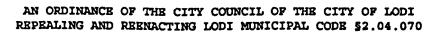
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CCMAYOR/TXTA.01V

APPROVED. THOMAS A. PETERSON City Manager







BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI AS FOLLOWS:

<u>SECTION 1.</u> Lodi Municipal Code \$2.04.070 - Presiding Officer--Mayor--Mayor Pro Tempore - is hereby repealed and reenacted in its entirety to read as follows:

The presiding officer of the Council shall be the Mayor who shall be elected by the Council annually at the first regular meeting after the canvass of votes done in conjunction with the statewide general election in even-numbered years. In years where there is no general statewide election, the Mayor shall be elected at the first regular meeting in December. At the time of the election of the Mayor, one of the members of the Council shall be chosen as Mayor Pro Tempore. If the Mayor is absent or unable to act, the Mayor Pro Tempore shall serve until the Mayor returns or is able to act. The Mayor shall preserve strict order and decorum at all regular and special meetings of the He shall state every question coming before the Council, call for the vote, announce the decision of the Council on all subjects and decide all questions of order, subject, however, to an appeal to the Council, in which event a majority vote of the Council shall govern and conclusively determine such question of order. He shall sign all ordinances adopted by the Council during his presence. In the event of the absence of the Mayor, the Mayor Pro Tempore shall sign ordinances as then adopted.

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.

SECTION 3. The ordinance shall be published time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect thirty days from and after its passage and approval.

Approved this d

day of

JACK A. SIEGLOCK Mayor

Attest:

JENNIFER M. PERRIN City Clerk

State of California County of San Joaquin, ss.

I, Jennifer M. Perrin, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1599 was introduced at a regular meeting of the City Council of the City of Lodi held July 20, 1994 and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held ______, 1994 by the following vote:

Ayes:

Council Members -

Noes:

Council Members -

Absent:

Council Members -

Abstain:

Council Members -

I further certify that Ordinance No. 1599 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

JENNIFER M. PERRIN City Clerk

Approved -s to Form

BOBBY W Mc.ATT City Attorney